



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: WALLACH=20  
*Att 1647  
R&B*

In re Application of:

David WALLACH et al

Appln. No.: 08/981,559

Filed: April 13, 1998

For: TNF MODULATION

) Art Unit: 1647  
) Examiner: D. Romeo  
) Washington, D.C.  
) October 20, 2004  
)  
)

**RESPONSE IN PARENT CASE IN SUPPORT OF PETITION AND FEE FOR EXTENSION OF TIME WHEN FILING NEW APPLICATION CLAIMING BENEFIT OF A PRIOR FILING**

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:

As a response in this case, as required by 37 C.F.R. §§1.111, 1.113, 1.192 or other regulation, a [X] continuation, [ ] continuation-in-part, [ ] divisional application, claiming benefit of the filing date of the present application, is being filed on even date herewith.

It is hereby petitioned for an extension of time in accordance with 37 C.F.R. §1.136(a). The appropriate fee required by 37 C.F.R. §1.17 is calculated as shown below:

Small Entity	Other Than Small Entity
Response Filed Within	Response Filed Within
[ ] First - \$ 55.00	[ ] First - \$ 110.00
[ ] Second - \$215.00	[ ] Second - \$ 430.00
[ ] Third - \$490.00	[ ] Third - \$ 980.00
[ ] Fourth - \$765.00	[XX] Fourth - \$1530.00
month after time period set	month after time period set

[ ] Less fees (\$\_\_\_\_\_) already paid for \_\_\_\_ months extension of time on \_\_\_\_\_.

[ ] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[ ] Please charge our Deposit Account No. 02-4035 in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is attached.

[ ] A check in the amount of \$\_\_\_\_ is attached (Check No. \_\_\_\_\_.)

[XX] Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$1530.00 is attached.

The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application to deposit account No. 02-4035.

Upon the condition that the above petition for extension of time is granted and a filing date is granted to the above-mentioned continuing application, applicant(s) expressly abandon the above identified application, but not the invention therein.

The present communication is intended to be in accordance with the Commissioner's Notice of May 13, 1983, published at 1031 OG 12.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By:

Allen C. Yun

Registration No. 37,971

ACY:jab

Telephone No.: (202) 628-5197

Facsimile No.: (202) 737-3528